

Appln No. 10/760,191  
Amdt. Dated April 20, 2006  
Response to Office Action of March 2, 2006

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### **REMARKS/ARGUMENTS**

Applicant thanks Examiner for the detailed Office Action dated March 2, 2006. In response to the issues raised, the Applicant offers the following submissions and amendments.

#### **Amendments**

Pages 13, 14, 17, 18, and 22 have been amended to correct typographical errors.

Claim 1 has been amended to address the antecedent issue identified by the Examiner.

Accordingly we submit that the amendments do not introduce any new matter.

#### **Claim Objections**

Claim 1 has been amended such that all the claim elements have a clear antecedent basis.

#### **Non-Statutory Double Patenting**

The Applicant contests that Claim 1 of the present invention is not patentably distinct from Claim 1 of co-pending USSN 10/760,234 in view of USSN 10/760,235. The Examiner has sort to combine the teachings of a co-pending claim with that of a co-pending **description**. A non-statutory obviousness-type double patenting rejection is appropriate where the conflicting **claims** are not identical, but at least one examined application claim is either anticipated by, or would have been obvious over, the reference **claim(s)**.

A non-statutory double patenting rejection can not be based on the combination of a co-pending claim and a co-pending description.

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**Conclusion**

It is respectfully submitted that the application is now in condition for allowance.  
Accordingly, the Examiner's favorable reconsideration is courteously solicited.

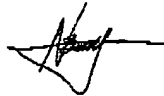
Very respectfully,

Applicants:



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